



Docket No.: 20718/0204135-USO
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
David J. Bova

Patent No.: 6,080,428

Issued: June 27, 2000

For: NICOTINIC ACID COMPOSITIONS FOR
TREATING HYPERLIPIDEMIA AND
RELATED METHODS THEREFOR

Certificate
SEP 28 2006
of Correction

REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 CFR 1.323

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted typographical errors which should be corrected.

In the Specification:

At column 2, line 28, please delete the phrase "18 or 78 percent" and insert the phrase --12 or 52 percent --.

At column 11, line 46, please delete the phrase "had 18 of 23, or 78 percent" and insert the phrase --had 12 of 23, or 52 percent--.

OCT - 2 2006

09/26/2006 WADDELRI 00000055 6080428

01 FC:1811

100.00 OF

At column 10, line 51 to column 11, line 43, please replace Table VIII with the following corrected replacement table:

TABLE VIII
A Comparison of Changes in Liver Function Tests

	DOSE							
	0	500	1000	1500	2000	2500	3000	TOTAL
McKenney SR^bNiacin								
AST	23.8	27.9	40.4	36.6	56.5	na	97.0	
%	--	117	170	154	237	na	408	
Invention Dosage^c								
AST	24.3	na	23.7	27.5	26.6	27.6	27.8	
%	--	na	98	113	109	114	114	
McKenney SR Niacin								
AST	25.6	29.5	36.3	39.0	59.1	na	100.0	
%	--	115	142	152	231	na	391	
Invention Dosage								
ALT	21.4	na	18.7	22.6	21.3	22.4	21.8	
%	--	na	87	106	100	105	102	
McKenney SR Niacin								
ALK	95	95	106	105	136	na	135	
%	--	100	112	111	143	na	142	
Invention Dosage								
ALK	74.7	na	73.9	76.1	73.4	76.7	78.0	
%	--	na	99	102	98	103	104	
McKenney SR Niacin								
Drop	--	0	1	2	4	na	5	12
n	--	--	--	--	--	--	--	23
%	--	0	4	9	17	na	22	52
Invention Dosage								
Drop	--	--	0	0	0	0	0	0
n	--	--	26	67	97	35	15	240
%	--	--	0	0	0	0	0	0
1 year	--	--	15	47	77	31	15	184
1 year	--	--	58	69	79	89	100	77

Dosed twice-per-day as described in "A Comparison of the Efficacy and Toxic Effects of Sustained - vs. Immediate - Release Niacin in Hypercholesterolemic Patients" by McKenney et al., *Journal of the American Medical Association*, March 2, 1994; Vol. 271, No. 9, pages 672-677.

^b SR is "sustained release"

^c Dosed once-per-day at night

OCT 15 2 2006

Remarks:

The errors were found in the application as filed by applicant. The errors now sought to be corrected are inadvertent typographical errors, the correction of which does not involve new matter or require reexamination.

Our check in the amount of \$100.00 covering the fee set forth in 37 CFR 1.20(a) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: September 21, 2006

Respectfully submitted,

By: 

Paul M. Zagar, M.D.

Reg. No. 52,392

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700 (Tel.)

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant

OCT - 2 2006